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THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mamoru SHOЛ et al.

Serial No. NEW : Attn: Application Branch

Filed February 15, 2001 : Attorney Docket No. 2001\_0160

RECORDING MEDIUM, RECORDING APPARATUS AND RECORDING METHOD (Rule 1.53(b) Divisional of Serial No. 09/395,218, Filed September 14, 1999)



Assistant Commissioner for Patents Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. 09/395,218.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing date of the first Office Action on the merits,

and thus no certification and/or fee is required.



1b.	[] This Information Disclosure Statement is submitted	
		e events of above paragraph 1a and prior to the mailing date of a final Office Action otice of Allowance or an action which otherwise closes prosecution in the application is:
	(1) [] t	he certification of paragraph 2 below is provided, or
	(2) [] t	he fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.
1c.	[] This Information Disclosure Statement is submitted:	
	after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:  the certification of paragraph 2 below is provided, and	
	2.	It is hereby certified
	a. []	that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement or
	b. []	that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. [] Consideration of the following additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

- 4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
  - a. [] a full or partial English language translation submitted herewith,
  - b. [X] Two foreign patent office search reports (in the English language) submitted herewith,
  - c. [] the concise explanation contained in the specification of the present application at page,
  - d. [X] the concise explanation set forth in the English language abstracts submitted with the references in the prior parent application 09/395,218,
  - e. [] the concise explanation set forth below or on a separate sheet attached to the reference:
- 5. [X] A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Mamoru SHOJI et al.

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JRF/fs Washington, D.C. Telephone (202) 721-8200 February 15, 2001